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ARIZONA CORPORATION COMMISSION

JAMES G. JAYNE  
Interim Executive Secretary  
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July 28, 2003

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Commissioner Jim Irvin  
Commissioner William A. Mundell  
Commissioner Jeff Hatch-Miller  
Commissioner Mike Gleason  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

Arizona Corporation Commission  
**DOCKETED**  
JUL 28 2003  
DOCKETED BY

Re: Qwest Corporation's Compliance with Section 271/ Docket No. T-00000A-97-0238  
Qwest Corporation's Compliance with Section 252 (e) / Docket No. RT-00000F-02-0271  
Arizona Corporation Commission v. Qwest Corporation / Docket No. T-01051B-02-0871

Dear Fellow Commissioners:

The conclusion of the evidentiary record in the Section 252 docket and Section 271 subdocket is an appropriate time to reflect on the timing of this Commission's consideration of Qwest's application to enter the long distance market pursuant to Section 271 of the Telecommunications Act of 1996.

It was my belief that the allegations regarding Qwest's non-compliance with Section 252 created the possibility that this Commission's Section 271 proceeding was tainted. For that reason it was appropriate to suspend consideration of Qwest's Section 271 application until the integrity of that proceeding could be established. The record in the Section 252 proceeding is closed and a settlement in that matter, and possibly other matters, (the "Proposed Settlement") may come before the Commission.

I now raise one substantive and two procedural matters. As to procedure, the Proposed Settlement should be considered in a manner that permits the parties and public to meaningfully participate, including adequate time for exceptions/briefs to be filed and for public comment. The Proposed Settlement's various "moving parts" deserve full and fair consideration. I believe the Commission should consider a Recommended Opinion and Order of the Hearing Division at an Open Meeting. The procedural timing should rest with the sound discretion of the Hearing Division.

I am now satisfied that the integrity of the Commission's exhaustive proceedings under Section 271 have **not** been compromised. Therefore, consideration of the remaining checklist items, and the public interest determination, should be considered forthwith. The matters are now ripe for adjudication and further delay serves no purpose.

I also take this opportunity to raise a matter relating to whether approval of Qwest's Section 271 application is in the public interest. Communications to me assert that the replacement of certain Qwest corporate officers by new management "erases" the alleged financial and operational improprieties of its predecessors. In other cases of corporate malfeasance, officers and directors have been replaced by individuals with no connection to prior misconduct.

There is a question as to whether Qwest, with its current ownership, meets that paradigm. As in the matter of XO Communications, T-04150A-02-0814, T-03775A-02-0814 & T-03601A-02-0814, I raise an issue concerning the controlling shareholder's commitment to the public interest with respect to a regulated utility.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Marc Spitzer', with a stylized, flowing script.

Marc Spitzer  
Chairman

CC: All Parties of Record  
Docket Control